

# The Commonwealth of Massachusetts

Middlesex, ss.

To Keeper of Records/Legal - Comm. of  
Massachusetts Dept. of Public Health -  
William A. Hinton Lab Institute  
350 South St.  
Jamaica Plain, MA greetings.

**You are hereby commanded**, in the name of The Commonwealth of Massachusetts, to appear before the Middlesex Superior Court, 200 Trade Center, Holden at Woburn, within and for the county of Middlesex, on the 24th, day of April, 2012, at 2:00 PM, o'clock in the after, noon, and from day to day thereafter, until the action hereinafter named is heard by said Court, to give evidence of what you know relating to an action of Criminal Hearing, then and there to be heard and tried between Commonwealth of Massachusetts, Plaintiff, and [REDACTED] Defendant, Docket [REDACTED] and you are required to bring with you See attached Rule 17 Motion, \*Inquires to Atty. Richard M. Doyle @ 617-864-1390, \*Subpoena issued at the request of the defendant, , , , , , .

**Hereof fail not**, as you will answer your default under the pains and penalties in the law in that behalf made and provided.

**Dated at Boston** the 12th, day of April, A.D. 2012.

  
Commission Exp 11/28/14 Notary Public

A TRUE COPY, ATTEST

  
Constable, Boston, Ma. Date 4/17/12

## COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT  
MIDDLESEX DIVISION

COMMONWEALTH )

V. )

MOTION TO COMPEL PRODUCTION OF  
DOCUMENTARY EVIDENCE AND OBJECTS  
PURSUANT TO SUBPOENA DUCES TECUM

Now comes the defendant, [REDACTED] and moves

before this Honorable Court, pursuant to M.R. Crim. P. 17 (a)(2),  
for an order compelling THE COMMONWEALTH OF MASSACHUSETTS DEPARTMENT  
OF PUBLIC HEALTH, WILLIAM A. HINTON STATE LABORATORY INSTITUTE, 350  
SOUTH ST., JAMAICA PLAIN, MA., 02130 to produce documentary evidence  
and objects (specifically, any and all employment records and  
disciplinary records of State Chemist Annie Dookhan AND any records  
which exist with respect to any and all investigations conducted  
upon State Chemist Annie Dookhan) pursuant to subpoena duces tecum.

As reason, therefor, the defendant attaches an  
affidavit.

Respectfully submitted,

[REDACTED]

Richard M. Doyle, Jr.  
875 Massachusetts Avenue  
Suite 32  
Cambridge, Ma. 02139  
Tel: (617) 864-1390

Dated: May 9, 2006

## COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX

SUPERIOR COURT DEPARTMENT  
MIDDLESEX DIVISION

NO: [REDACTED]

COMMONWEALTH

V.  
[REDACTED]

AFFIDAVIT

1. My name is Richard M. Doyle, Jr., my B.B.O. number is 552133, my practice is located at 875 Massachusetts Avenue, in Cambridge, Ma..
2. [REDACTED] is my client.
3. I have recently learned from the Commonwealth that the State Chemist in this matter, Ms. Annie Dookhan, has breached the chain of custody protocol in criminal prosecutions in Norfolk County, as recently as June, 2011.
4. To mount an effective defense in the foregoing matter, counsel will require more precise information about Ms. Dookhan; specifically, her employment / disciplinary history as a state chemist and information gleaned from any investigation concerning Ms. Dookhan.
5. The requested documents will not be forthcoming until this motion is allowed.
6. The defendant attaches exhibit #1 (Commonwealth's Discovery Notice) in support of his contention.
7. The defendant respectfully requests that this motion be allowed.  
[REDACTED]

Richard M. Doyle, Jr.  
875 Massachusetts Avenue  
Suite 32  
Cambridge, Ma. 02139  
Tel: (617) 864-1390

## COMMONWEALTH OF MASSACHUSETTS

I, Richard M. Doyle, Jr., Attorney for the defendant, [REDACTED] hereby state, under the pains and penalties of perjury, that I have forwarded a copy of the foregoing Motion to Compel Production of Documentary Evidence and Objects upon the District Attorney's Office, 15 Commonwealth Ave., Woburn, Ma., 01801 by first class mail.

Signed under the pains and penalties of perjury this 10th day of April, 2012.

Richard M. Doyle, Jr.

## COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT  
DOCKET [REDACTED]

EX. #1

COMMONWEALTH

v.  
[REDACTED]

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COMMONWEALTH'S DISCOVERY NOTICE

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Now comes the Commonwealth and, in light of Mass. R. Crim. P. 14 and case law, and in an abundance of caution, hereby notifies the defendant that the Commonwealth has been advised that state chemist Annie Dookhan breached the chain-of-custody protocol of the William A. Hinton State Laboratory Institute in June, 2011. After an investigation conducted by the Department of Public Health, it was determined that the only cases affected by the protocol breach were from Norfolk County.

The Commonwealth is aware of its continuing discovery obligations and will provide any further discoverable information to the defendant as necessary.

Respectfully Submitted  
For the Commonwealth

GERARD T. LEONE, JR.  
DISTRICT ATTORNEY



Lisa L. Fuccione  
Assistant District Attorney

Date: 3/30/12